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<b>To: Bernard Rojas</b> <b>Patent Examiner</b> <b>Art Unit 2832</b> <b>United States Patent and</b> <b>Trademark Office</b>	<b>From: Nora M. Tocups</b> <b>RE: Serial No. 10/767,144</b> <b>Atty No. 0703-2812</b>
<b>Fax: 571.273.8300</b>	<b>Date: August 26, 2005</b>

Total pages, including cover: 2

I hereby certify that the correspondence listed below is being transmitted via facsimile transmission to Bernard Rojas of the United States Patent and Trademark Office at 571.273.8300 on August 26, 2005:

- Response to Office Action Mailed July 27, 2005

  
Nora M. Tocups, Reg. 35,717  
August 26, 2005

AUG 26 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anne-Marie Albanese and  
Kenneth A. Cunefare )  
Serial No.: 10/767,144 ) Art Unit: 2832  
Filed: January 26, 2004 ) Examiner: Bernard Rojas  
For: Adaptable Vibration Absorber Employing Magnetorheological Elastomer  
with Variable Gap Length and Methods and Systems Therefor )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION MAILED JULY 27, 2005**

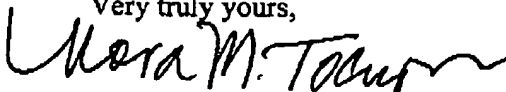
The Office Action mailed July 27, 2005 requires election of an alleged single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

The Office Action found the application contains claims directed to the following alleged patentably distinct species of the claimed invention:

Embodiment 1 – Figure 2  
Embodiment 2 – Figure 3  
Embodiment 3 – Figure 4  
Embodiment 4 – Figure 5

Respectfully submitted, with traverse, the alleged distinct species identified as "Embodiment 1 – Figure 2" is elected for prosecution on the merits. All of the pending claims, Claims 2 – 18, are identified for examination relating to this alleged species.

Very truly yours,



Nora M. Tocups, Reg. 38,717  
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, is being transmitted via facsimile transmission to the United States Patent and Trademark Office on the 26<sup>th</sup> day of August 2005 and directed to the central fax number of 571.273.8300 for delivery to Patent Examiner Bernard Rojas.

  
Nora M. Tocups